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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,390	07/20/2007	Stefan Hansch	H0075.70116US00	8873

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BOSTON, MA 02210-2206

EXAMINER

PARVEZ, AZM A

ART UNIT	PAPER NUMBER
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3729

MAIL DATE	DELIVERY MODE
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04/13/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,390	Applicant(s) HANSCH ET AL.	
	Examiner AZM PARVEZ	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,6,8-13,15,16 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) 11-13,15,16 and 18-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/10/2010, 7/20/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I claim 1-3, 5 - 6 and 8-10 in the reply filed on 14 February, 2011 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 3 ,5 - 6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoag et al., US 5,105,538, and further in view of Hugler, US 6,671,955.
4. Regarding claim 1, Hoag et al., discloses;

A method for producing a split bearing arrangement, in which in several machining stations (see Hoag et al., column 5; line 12-14) a top bearing part (see Hoag et al., Fig 14; 41) is separated in a predefined fracture plane (see Hoag et al., Fig 2; 15) from a base bearing part (see Hoag et al., Fig 14; 42) monolithically connected thereto via a fracture separation process by applying force (see Hoag et al., column 4; line 25-31), whereupon the two parts are joined back together by means of a screw connection comprising at least two screws (see Hoag et al., Fig 14; 42),

the base bearing part and the top bearing part are fixed on an adapter

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device (see Hoag et al., Fig 3; 22) that is conveyed from one machining station to another (see Hoag et al., column 5; line 12-14) while the top bearing part is retained at least during some processes in the machining stations via a retractable auxiliary support (see Hoag et al., Fig 14; 27) disposed on the adapter device and engaging the top bearing part outside the area of the screw connection,

the location of the top beating part is accurately fixed (see Hoag et al., Fig 18; 41,42) in parallel to the fracture plane with respect to the base bearing part during the release and cleaning process (examiner interpret that any action can be done after screw connection) , whilst the top bearing part is held in a loose manner in a direction perpendicular to the fracture plane (see Hoag et al., Fig 18; 41,42).

Hoag et al., does not disclose;

the base bearing part and the top bearing part are subjected to a release and cleaning process in the fracture plane after the fracture separation process.

However Hugler teaches

the base bearing part and the top bearing part are subjected to a release and cleaning process (see Hugler, Fig 1; 8, 9 and column 2; line 56- 68; column 3; line 1-3) in the fracture plane after the fracture separation process.

It would have been obvious to one with ordinary skill in the art at the time of invention to modify Hoag et al., by doing vibrating and cleaning, as taught by Hugler, since such a modification would have prevent detachable adhering particles of the material from falling out in an uncontrolled manner.

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For claim 3 (see Hoag et al., Fig 6; 36, 37).

For claim 9 (see Hoag et al., column 5; line 21-35)

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoag et al., US 5,105,538, in view of Hugler, US 6,671,955 as applied to claim 1- 3, 5 - 6 and 9-10 above and further in view of Schmidt, US 5,208,979

6. Regarding claim 8, Hoag et al., together with Hugler do not disclose;

A fracture separation groove is incorporated in the fracture plane by a laser prior to the fracture separation process.

However Schmidt teaches

a fracture separation groove is incorporated in the fracture plane by a laser (see Schmidt, Fig 3, 42 and column 3; line 37-38) prior to the fracture separation process.

It would have been obvious to one with ordinary skill in the art at the time of invention to modify Hoag et al. together with Hugler, by laser cutting a stress riser , as taught by Schmidt , since such a modification would have promotes crack initiation at relatively low tension force levels.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AZM PARVEZ whose telephone number is (571)270-1391. The examiner can normally be reached on 8:30-5:30 / Alt Fri day off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DERRIS BANKS can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AZM PARVEZ
Examiner
Art Unit 3729

/Derris H Banks/

Supervisory Patent Examiner, Art Unit 3729